

Interview Summary

Application No.

09/784,875

Applicant(s)

SRINIVASAN ET AL.

Examiner

Katherine W. Mitchell

Art Unit

3677

All participants (applicant, applicant's representative, PTO personnel):

(1) Katherine W. Mitchell.

(3) _____.

(2) Ron Pomerence.

(4) _____.

Date of Interview: 04 and 7 March 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 28.

Identification of prior art discussed: Inside Cisco NPL cited.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner called late in the day and apologized for last minute interview. Attorney requested Primary/SPE for call; examiner stated she had negotiating authority and no examiner was likely to agree to allowability prior to re-search of case and careful consideration of art.

Attorney emphasized the concept critical in claim 28 which is that:

the order configurator for the buyer, [say an engineer] with technical knowledge configures the order and submits order to supplier. At that point, the order is valid.

Next, Supplier accepts an approval for said order regardless of whether it is still valid (ie, configurator had to get approval from purchasing manager, who may not be technically qualified to reconfigure, and this step could delay enough that original configuration no longer valid). Supplier accepts approval regardless of whether said order configuration is still valid.

Supplier then determines that 1st configuration is invalid due to rule changes.

Then supplier receives a 2nd valid product configuration that complies with changed rules (HOW DOES BUYER KNOW TO resubmit??)

Supplier maintains approval acceptance, wherein processing order is completed based on original approval - before 2nd validation.

NOTE: no time limit on any step

Examiner agrees that no 102 rejection teaching exact claims is cited. However, concept of validation/revalidation is taught, implicitly teaching determining if configuration was valid at each validation/revalidation step.

Examiner still had fax of 10/29/2004 discussing claims 28 and 29 for review. Attached to this summary.

Attorney argues the key concept is preventing endless loops - technology changes fast. Purchasing departments frequently are not fast and often would need to consult with configurator before re-approval. This could delay enough that 2nd valid configuration becomes invalid in this time period, causing loop again, etc.

Examiner discusses experience at Fortune 100 company as project engineer - had "open" Purchase Orders" which authorized broad category (valves, controllers, etc) by dollar amount, and examiner/engineer worked with vendor to obtain valid products without needing purchasing re-approval. However, this system was not electronic and examiner does not remember any time limit after which the order would need to be re-approved by purchasing manager.

Due to lateness of hour and that examiner called unscheduled, without giving attorney chance to review the case first, examiner agreed to call back Monday 3/7/05 at 10AM attorney's time after further search and review with Business method SPE.

Examiner called Monday and noted that the new limitation "maintaining approval after 2nd valid product configuration" appeared to be new matter, as only page 19 lines 20-21 of the specification make any reference to approval after the 2nd validation. Applicant disagreed.